THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 13062 of 1994.

DATED: 14-11-2006

Between:

Management of Singareni Colleries Co.
Ltd represented by its
General Manager, Ramagundam Area-III,
Godavfarikhani, Karimnagar Dist.

…Petitioner

and

The Presiding Officer,
Industrial Tribunal-I,
Chandra Vihar, M.J.Road,
Hyderabad and another

…Respondents.

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

W.P.No. 13062 of 1994.

Oral order:

The writ petition was dismissed for default insofar as the 2nd respondent is concerned by the order of this Court dated 23-9-1999. When the writ petition came up for hearing on 8-7-2004 the following was recorded by the Hon'ble the Chief Justice, sitting single.

> "The writ petition was dismissed against the second respondent and in that view of the matter, there will be no ground to continue with this writ petition since in the absence of second respondent, no relief can be granted.
>
> Learned counsel for petitioner states that already an application was filed for recalling the said order. The record does not show that such a petition was filed.
>
> A week's time is granted to the petitioner. List next week."

When the matter is called today, the learned counsel for the petitioner is again unable to state to this Court the number of the miscellaneous application in which recall of the order dismissing the writ petition for default as against the 2nd respondent, is made. As the reference of the dispute has been made to the Industrial Tribunal-I, Hyderabad under Section 10 (1)(d) of the Industrial Disputes Act, 1947 at the instance of the 2nd respondent, the 2nd respondent is a necessary and proper party to this writ petition.

Since the writ petition has been dismissed as against the 2nd respondent, the writ petition itself fails and is accordingly dismissed. No costs.

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GODA RAGHURAM, J

14th November, 2006.
GRR